



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Paper No. 6

DAVID B. BONHAM
MAYER FORTKORT & WILLIAMS, PC
251 NORTH AVENUE WEST, 2ND FLOOR
WESTFIELD, NJ 07090

COPY MAILED

FEB 21 2003

OFFICE OF PETITIONS

In re Application of :
Stephen Forrest et al :
Application No. 10/028,465 :
Filed: December 20, 2001 :
Attorney Docket No. PRN-30101 :

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Technology Center 2800.


Irvin Dingle

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy